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**OFFICE OF PETITIONS**

In re Application of :  
Kobayashi et al. :  
Application No. 09/963,308 : DECISION ON PETITION  
Filed: September 26, 2001 :  
Attorney Docket No. :  
15162/04110 :

This is a decision on the petition for a corrected filing date, filed January 17, 2002, requesting that the above-identified application be accorded a filing date of September 26, 2001, rather than the presently accorded filing date of September 25, 2001. The Petition will be treated as a petition under 37 CFR § 1.10. The delay in treating this Petition is regretted.

Petitioner alleges that the application was deposited in Express Mail service on September 26, 2001. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EL794568344US. Although the "Date In" indicated on the Express Mail label is September 25, 2001, the Express Mail label contains a United States Postal Service (USPS) stamp of September 26, 2001. The same Express Mail label number was placed on the original application papers located in the official file.

In view of the above, the petition is granted. No fee is necessary.

This application file will be forwarded to the Office of Initial Patent Examination for correction of the filing date to September 26, 2001.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

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